REMARKS

This Response is in reply to the Office Action mailed on August 1, 2006. Claims 1-30 are pending and claims 1-8 and 10-30 have been amended herein. No new matter has been added. The claims have been amended to overcome the Examiner's objections and rejections under § 112, second paragraph. The scope of the claims have not been changed. The objections to the specification and the drawings have been overcome by the amendments to the specification presented herein. Entry and consideration of the amendments and following remarks is respectfully requested.

Rejections under 35 U.S.C. § 102(b)

Claims 1-14 and 16-29 stand rejected as anticipated by Tsutsui et al. (4,928,297). This rejection is respectfully traversed.

An important aspect of the claimed invention is the combination of moving the sensor or sensors in a linear trajectory while at the same time keeping the active surface of the sensor or sensors at right angles to the beam from the x-ray source. None of the embodiments of Tsutsui show the combination of these features, nor is there any teaching in Tsutsui to suggest that these features be combined.

Specifically, Examiner continuously makes reference to Figures 4-7 of Tsutsui. However, upon examination of these figures and the corresponding protions of the specification, it is clear that these features are not taught in combination as recited in the claims. The embodiment of Tsutsui shown in Figure 4 has no trajectory whatsoever, let alone a linear trajectory. Claims 5 and 7 clearly show a curved trajectory. Although claim 6 shows a linear trajectory, there is no teaching to combine such a trajectory with keeping the active surface of the sensor or sensors at right angles to the beam from the x-ray source. In fact, Tsutsui does not deal with this teaching at all. Furthermore, this teaching is not inherent in Figure 6, as the active surface of the

sensor would only be at a right angle to the beam when the sensor is in the middle position. When the sensor is at the extreme side positions, the active surface would not be at a right angle with the beam in contradistinction to the claimed invention.

To further distinguish Tsutsui from independent claim 1, Tsutsui fails to disclose that the focus of the radiation source is essentially motionless in space. Tsutsui teaches that the radiation source along with the focus of the radiation source is moved along shaft 11 (See figures 5 and 7). Clearly, the focus of the radiation is not motionless in space.

In view of the above, Tsutsui does not teach all of the elements of the claimed invention. Accordingly, independent claims 1 and 16 are patentable. For at least the reason of their dependence from claims 1 and 16, either directly or indirectly, claims 2-14 and 17-29 are also patentable.

Although already patentable based on the patentability of independent claim 1, claim 4 is further distinguished over Tsutsui because Tsutsui does not disclose a transmission element. Although Examiner cites reference numeral 12 of Tsutsui as showing a transmission element, it is clear from the figures and the description that 12 refers to guides and not a transmission element. Only the sensor 4 moves along the guides; there is no other element present that could even be analogous to a transmission element. Similarly, regarding claim 8, Examiner posits that Tsutsui teaches the limitation that the sensor is moved by an actuator. Tsutsui only teaches moving the sensor with the shaft 11. No actuator is shown for moving the sensor. Accordingly, these claims are further distinguished over Tsutsui and are patentable.

Rejection under 35 U.S.C. § 103(a)

Claims 15 and 30 are rejected as obvious over Tsutsui in view of Francke et al. (PGPUB# 2003/0174806). This rejection is respectfully traversed.

As discussed above, Tsutsui fails to disclose the combination of moving the sensor or sensors in a linear trajectory while at the same time keeping the active surface of the sensor or sensors at right angles to the beam from the x-ray source. None of the embodiments of Tsutsui show the combination of these features, nor is there any teaching in Tsutsui to suggest that these features be combined. Furthermore, Tsutsui fails to disclose that the focus of the radiation source is essentially motionless in space. Accordingly, Tsutsui fails to teach even most of the elements of the claimed invention.

Regarding Francke, Examiner uses this reference as a secondary reference to teach two radiolucent compression paddles. Francke does not teach the elements lacking from Tsutsui, nor does the Examiner even suggest that these elements be learned from Francke. For example, there is no teaching in Francke that the focus of the radiation source is essentially motionless in space. Accordingly, even if one were to combine the teachings of Tsutsui and Francke, the result would not be the claimed invention.

It is respectfully submitted that the rejections have been overcome and should be withdrawn.

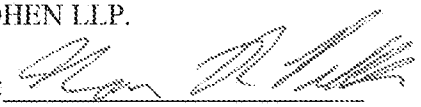
CONCLUSION

In view of the amendments to the claims made herein and the arguments presented above, it is submitted that the Examiner's rejections have been overcome and should be withdrawn. The application should now be in condition for allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

This Response is being timely. In the event that any other extensions and/or fees are required for the entry of this Amendment, the Patent and Trademark Office is specifically authorized to charge such fee to Deposit Account No. 23-2820 in the name of Wolf, Block, Schorr & Solis-Cohen LLP. An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
WOLF, BLOCK, SCHORR & SOLIS-COHEN LLP.

By: 

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